IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert A. Luciano, et al. Examiner: Christopher H. Bond

Application No.: 10/772,543 **Group Art Unit:** 3714

Patent No.: 7,481,707 B1

Filing Date: February 5, 2004 Confirmation No. 8942

Issue Date: January 27, 2009 **Docket No.** 83336.1605

Title: BINGO BONUSING SYSTEM AND Customer No. 66880

METHOD

Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER RULE 37 C.F.R. 1.181

Applicants request for reconsideration of petition under Rule 37 C.F.R. 1.181.

In connection with this Petition, Applicants are submitting proof that the Letters Patent was not received. Specifically, a Declaration of Andrew B. Chen, the practitioner, under 37 C.F.R. § 1.68 is attached attesting to the facts that a search of the docket records and file records indicates that the Letters Patent was not received. Applicants provide the Office of Petitions with a printout from the database of Applicants representatives listing the history of the above referenced matter as Exhibits A and B.

The Commissioner is authorized to charge any additional fees that may be required or credit any overpayment to our Deposit Account No. 194293, Deposit Account Name STEPTOE & JOHNSON LLP.

Should the Office of Petitions have any questions concerning the foregoing, please telephone the undersigned attorney at (310) 734-3200. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

Date: September 14, 2009

Andrew B. Chen Reg. No. 48,508 STEPTOE & JOHNSON LLP 2121 Avenue of the Stars Suite 2800 Los Angeles, CA 90067 Tel 310.734.3200 FAX 310.734.3300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert A. Luciano, et al. Examiner: Christopher H. Bond

Application No.: 10/772,543 Group Art Unit: 3714

Patent No. 7,481,707 B1

Filing Date: September 22, 2008 Confirmation No. 8942

Issue: January 27, 2009 **Docket No.** 83336.1605

Title: BINGO BONUSING SYSTEM AND Customer No. 66880

METHOD

Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF ANDREW B. CHEN UNDER 37 C.F.R. § 1.68

I, ANDREW B. CHEN, hereby declare under penalty of perjury as follows:

- 1. I am an Attorney at the law firm of Steptoe & Johnson LLP in Los Angeles, California, and represent Bally Gaming, Inc., located in Las Vegas, Nevada. I am competent to testify as to the matters set forth herein, and I will so testify if called upon to do so. I make this Declaration in support of the Request for Reconsideration of Petition Under 37 C.F.R. 1.181.
- 2. I have held my position representing Bally Gaming, Inc. for over four (4) years. Among other duties, my responsibilities include the filing and prosecution of Bally Gaming, Inc.'s patent cases before the U.S. Patent and Trademark Office.
- 3. After a search of the file jacket and the docket records, I submit that the Letters Patent for U.S. Patent No. 7,523,156 was not received at the office of Steptoe & Johnson LLP.
- 4. Attached as Exhibits A and B are computer printouts from our docketing system showing that we never received the Letters Patent for U.S. Patent No. 7,481,707 that was mailed on January 27, 2009.

- 5. Exhibit A shows a Due Date column which is the date in which an activity is anticipated to occur (e.g., receiving a Letters patent) and the Date Taken column refers to the date in which the Due Date is acknowledged because the Action item was completed or postponed to another date for further reminders. In the circled section of Exhibit A, the "Letters Patent rec'd" Action item was docketed as being due on February 3, 2009. Since the Letters Patent was not received, this same action date is moved ahead and continues to appear until the task is completed and cleared.
- 6. Exhibit B illustrates the same information as Exhibit A, but the information in Exhibit B is organized by case number. As an example, for matter 83336.1031, the Letters Patent rec'd action item was docketed as being due on March 10, 2009. The Letters Patent was received on March 9, 2009, which was appropriately docketed, and additional action items were triggered such as Proof Read Patent Doc, Fwd Letters Patent to Client, and Client Acknowledged Rcpt of Letters Patent.
- 7. Since we never received the Letters Patent for U.S. Patent No. 7,481,707 that was mailed on January 27, 2009, this task was never cleared from our docketing system and monthly reminders are generated by the docketing system until the task is cleared as shown in Exhibit B.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Executed on September 14, 2009, at Los Angeles, California.

Andrew B. Chen Reg. No. 48,508

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Suite 2800

Los Angeles, CA 90067

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EXHIBIT A

3/18/2009	3/19/2009	Proof Read Patent Doc	5/4/2001 Letters Patent Received	83336.1719 AU
3/12/2009	3/17/2009	Letters Patent rec'd	10/26/2007 ISSUE NOTIFICATION	83529.0004 C2
3/12/2009	3/12/2009	Letters Patent Received	10/26/2007 Letters Patent Received	83529.0004 C2
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3/10/2009	3/6/2009	Fwd Letters Patent to Client	11/27/2007 Letters Patent Received	83353.0003 KRD1
3/4/2009	3/3/2009	Letters Patent Rcvd?	7/17/2006 ISSUE NOTIFICATION	83485.0034
3/4/2009	3/3/2009	Letters Patent Rcvd?	2/5/2004 ISSUE NOTIFICATION	83336.1605
3/4/2009	3/3/2009	PATENT ISSUES TODAY	10/16/1999 ISSUE NOTIFICATION	83336.1031
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3/2/2009	2/28/2009	Fwd Letters Patent to Client	3/19/2003 Letters Patent Received	83353.0003 KR
1/20/2009	2/20/2009	Proof Read Patent Doc	11/27/2007 Letters Patent Received	83353.0003 KRD1
2/19/2009	2/19/2009	Letters Patent Received	5/4/2001 Letters Patent Received	83336.1719 AU
1/23/2009	2/18/2009	Client Acknowledged Rcpt?	2/27/2002 Letters Patent Received	83456.0007 EP
1/15/2009	2/14/2009	Proof Read Patent Doc	3/19/2003 Letters Patent Received	83353.0003 KR
2/4/2009	2/3/2009	Letters Patent rec'd	7/17/2006 ISSUE NOTIFICATION	83485.0034
2/3/2009	2/3/2009	Letters Patent rec'd	2/5/2004 ISSUE NOTIFICATION	83336.1605
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12/12/2008	1/27/2009	Letters Patent rec'd	8/23/2005 ISSUE NOTIFICATION	83336.1197
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1/23/2009	1/26/2009	L/D TO FILE CONTINUING APPLN	2/5/2004 ISSUE NOTIFICATION	83336.1605
1/27/2009	1/26/2009	L/D TO FILE CONTINUING APPLN	7/17/2006 ISSUE NOTIFICATION	83485.0034
1/23/2009	1/25/2009	Check PAIR re CON App	2/5/2004 ISSUE NOTIFICATION	83336.1605
1/22/2009	1/22/2009	Check PAIR re CON App	2/5/2004 ISSUE NOTIFICATION	83336.1605
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1/14/2009	1/14/2009	Proof Read Patent Doc	3/19/2003 Letters Patent Received	
12/18/2008	12/18/2008	Letters Patent Received	2/27/2002 Letters Patent Received	83456.0007 EP
12/18/2008		Letters Patent Received	Letters	2/2

CaseNumbe SubCase	FilDate ActionType	ActionDue	DueDate	DateTaken
83353.0003 KR	3/19/2003 Letters Patent Received	Fwd Letters Patent to Client	3/28/2009	3/30/2009
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		^o atent to Clier	4/6/2009	4/7/2009
	6/19/2000 ISSUE NOTIFICATION	L/D TO FILE CONTINUING APPLN	4/6/2009	4/22/2009
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83529.0004 C2		Proof Read Patent Doc	4/12/2009	4/13/2009
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83336.1719 AU	5/4/2001 Letters Patent Received	Proof Read Patent Doc	4/19/2009	4/20/2009
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CaseNumbe SubCase	FilDate ActionType		DueDate	DateTaken
83485.0031 C1	2/14/2008 Letters Patent Received	Soft Copies of Patent Rovd	6/19/2009	6/19/2009
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	10/16/1999 Letters Patent Received	Fwd Letters Patent to Client	6/23/2009	5/4/2009
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83353.0003 EP	9/14/2001 Letters Patent Received	Assoc Confirm Validation Cmplt	9/1/2009	8/5/2009
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83336.1605	2/5/2004 ISSUE NOTIFICATION	Letters Patent Rovd?	9/4/2009 9/4/2009
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83353.0003 EP	9/14/2001 Letters Patent Received	Fwd Letters Patent to Client	10/27/2009
83353.0003 EP	9/14/2001 Letters Patent Received	Proof Read Patent Doc	11/13/2009
83485.0031 C1	2/14/2008 Letters Patent Received	Fwd Letters Patent to Client	11/15/2009
83485.0031 C1	2/14/2008 Letters Patent Received	Client Acknowledged Rcpt?	12/31/2009

EXHIBIT B

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7/20/2009	7/20/2009	W. Roland respond re Patent?	10/25/2006 ISSUE NOTIFICATION	83336,1786
4/22/2009	4/21/2009	PATENT ISSUES TODAY	10/25/2006 ISSUE NOTIFICATION	83336.1786
5/14/2009	5/15/2009	Letters Patent rec'd	10/25/2006 ISSUE NOTIFICATION	83336.1786
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1/28/2009	1/27/2009	PATENT ISSUES TODAY	2/5/2004 ISSUE NOTIFICATION	83336.1605
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2/19/2009	2/19/2009	Letters Patent Received	5/4/2001 Letters Patent Received	83336.1719 AU
4/23/2009	6/2/2009	Fwd Letters Patent to Client	5/4/2001 Letters Patent Received	83336.1719 AU
4/23/2009	7/20/2009	Client Acknowledged Rcpt?	5/4/2001 Letters Patent Received	83336.1719 AU
3/26/2009	4/9/2009	Proof Read Patent Doc	10/16/1999 Letters Patent Received	83336.1031
3/9/2009	3/9/2009	Letters Patent Received	10/16/1999 Letters Patent Received	83336.1031
5/4/2009	6/23/2009	Fwd Letters Patent to Client	10/16/1999 Letters Patent Received	83336.1031
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8/13/2009	7/20/2009	L/D TO FILE CONTINUING APPLN	9/26/2002 ISSUE NOTIFICATION	83336.1544
8/19/2009	8/18/2009	PATENT ISSUES TODAY	5/1/2008 ISSUE NOTIFICATION	83569.0002
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Transporter metabolists for jordischaftstätteringen i men ja V	10/3/2009	Letters Patent Rcvd?	7/17/2006 ISSUE NOTIFICATION	83485.0034
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5/4/2009	5/3/2009	Letters Patent Rcvd?	7/17/2006 ISSUE NOTIFICATION	83485.0034
3/4/2009	3/3/2009	Letters Patent Rcvd?	7/17/2006 ISSUE NOTIFICATION	83485.0034
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